CITY COUNCIL MINUTES July 23, 2012

The Honorable Council of the City of Evansville met on regular session at 5:30 p.m. on Monday, July 23, 2012 in the City Council Chambers, Room 301 Civic Center Complex, Evansville, Indiana, with President Connie Robinson presiding. The following business was conducted.

These minutes are not intended to be a verbatim transcript. Audiotapes of this meeting are on file in the City Clerk's Office.

ROLL CALL:

Present: McGinn, Mosby, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson.

Absent: Brinkerhoff-Riley

There being eight (8) members present and one (1) member absent and eight (8) members representing a quorum, I hereby declare this session of the Common Council officially open.

PLEDGE OF ALLEGIANCE

This evening the pledge of allegiance is led by Councilman Weaver.

Fellow Councilmen and those in the audience, welcome to the July 23, 2012 meeting of the Common Council.

RECOGNITION OF SCHOOLS

Are there any students in the audience that would like to be recognized?

COUNCIL ATTORNEY

This evening John Hamilton is City Council Attorney.

SERGEANT AT ARMS

This evening Officer Helm is our Sergeant at Arms.

READING AND AMENDMENT OF MINUTES

Is there a motion to approve the minutes of the July 9, 2012 meeting of the Common Council as written?

Councilman McGinn moved and Councilwoman Mosby seconded the motion to approve the minutes of the regular meeting of the Common Council held July 9, 2012 as written. Voice vote. So ordered.

REPORTS AND COMMUNICATIONS IN YOUR JULY 20TH PACKET:

- *City Council Agenda for the July 23, 2012 City Council meeting.
- *Committee Meeting Schedule.
- *City Council Meeting Minutes from the July 9, 2012.
- *Ordinance G-2012-14.
- *Resolution Docket C-2012-16.
- *A memo regarding IACT Conference.
- *Legal Aid Society Statistics.
- *Evansville Redevelopment Commission Minutes of July 3, 2012 Meeting.
- *Report from Weights and Measures.

ON YOUR DESK THIS EVENING:

*Invitation to Join Mayor Winnecke for Litter Clean-Up Event.

Councilwoman Mosby moved and Councilman Adams seconded the motion to receive, file and make these reports and communications a part of the minutes of the meeting. Voice vote. So ordered.

CONSENT AGENDA

FIRST READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-14 A.S.D. MOSBY, ADAMS, WEAVER, LINDSEY

An Ordinance amending Section 9.10.020 of the Evansville Municipal code (Fireworks)

Councilwoman Mosby moved and Councilman O'Daniel seconded the motion to adopt the Consent Agenda First Reading as written. Voice vote. So ordered.

CONSENT AGENDA

SECOND READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-7 as amended PUBLIC WORKS

McGINN

An Ordinance to vacate certain public ways or public places within the City of Evansville, Indiana, commonly known as the right-of-way part of S.E. 5th Street, in Donation Enlargement

ORDINANCE G-2012-12

PUBLIC WORKS

McGINN

An Ordinance amending Chapter 13.20 (Wastewater Discharge Regulations) of the Evansville Municipal Code

ORDINANCE G-2012-13

A.S.D. (MOSBY)

LINDSEY

An Ordinance of the Common Council of the City of Evansville, Indiana, amending Chapter 2.50 adding Section 2.50.041 of the Evansville City Code (Redevelopment Commission)

ORDINANCE F-2012-10 as amended FINANCE

EDIENE

An Ordinance of the Common Council of the City of Evansville Authorizing Transfers and Appropriations, Additional Appropriations, and Repeal and Re-Appropriation of Funds for Various City Funds

RESOLUTION C-2012-15

FINANCE

FRIEND

A Resolution of the Common Council of the City of Evansville Ratifying, Confirming, Authorizing and Approving an Agreement between the City of Evansville and International Association of Firefighters Evansville Local No. 357 Inc.

March 1, 2012 through December 31, 2012.

COMMITTEE REPORTS:

FINANCE COMMITTEE:

CHAIRMAN FRIEND

Councilman Friend: Madam President, your Finance Committee met this evening to hear Ordinance F-2012-10 as amended and Resolution C-2012-15 and they both come forward with a do pass recommendation.

A.S.D. COMMITTEE:

CHAIRWOMAN MOSBY

Councilwoman Mosby: Madam President, your A.S.D. Committee met this evening to hear Ordinance G-2012-13 and this ordinance has been held in committee.

^{*}Ordinance F-2012-10 as amended.

PUBLIC WORKS COMMITTEE:

CHAIRMAN M°GINN

Councilman M^cGinn: Madam President, your Public Works Committee met this evening to hear Ordinance G-2012-7 as amended and G-2012-12 and both come forward with a do pass recommendation.

Councilman Friend moved and Councilwoman Mosby seconded the motion to accept the committee reports and move these ordinances and resolutions to the Third Reading. Voice vote. So ordered.

REGULAR AGENDA

THIRD READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-7.as amended PUBLIC WORKS

McGINN

An Ordinance to vacate certain public ways or public places within the City of Evansville, Indiana, commonly known as the right-of-way part of S.E. 5th Street, in Donation Enlargement

President Robinson: Is there a motion to adopt Ordinance G-2012-7 as amended and call the roll?

Councilwoman Mosby moved and Councilman McGinn seconded the motion to adopt G-2012-7 as amended and call the role.

ROLL CALL

Ayes: McGinn, Mosby, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson

There being eight (8) ayes and zero (0) Nays, Ordinance G-2012-7 as amended is hereby declared adopted.

REGULAR AGENDA

THIRD READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-12 PUBLIC WORKS

McGINN

An Ordinance amending Chapter 13.20 (Wastewater Discharge Regulations) of the Evansville Municipal Code

President Robinson: Is there a motion to adopt Ordinance G-2012-12 and call the roll?

Councilwoman Lindsey moved and Councilman O'Daniel seconded the motion to adopt G-2012-12 and call the role.

ROLL CALL

Ayes: McGinn, Mosby, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson

There being eight (8) ayes and zero (0) Nays, Ordinance G-2012-12 is hereby declared adopted.

REGULAR AGENDA

THIRD READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE F-2012-10 as amended FINANCE

<u>FRIEND</u>

An Ordinance of the Common Council of the City of Evansville Authorizing Transfers and Appropriations, Additional Appropriations, and Repeal and Re-Appropriation of Funds for Various City Funds

President Robinson: Is there a motion to adopt Ordinance F-2012-10 as amended and call the roll?

Councilman Adams moved and Councilwoman Mosby seconded the motion to adopt F-2012-10 as amended and call the role.

ROLL CALL

Ayes: McGinn, Mosby, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson

There being eight (8) ayes and zero (0) Nays, Ordinance F-2012-10 as amended is hereby declared adopted.

REGULAR AGENDA

THIRD READING OF ORDINANCES OR RESOLUTIONS

RESOLUTION C-2012-15 FINANCE

FRIEND

A Resolution of the Common Council of the City of Evansville Ratifying, Confirming, Authorizing and Approving an Agreement between the City of Evansville and International Association of Firefighters Evansville Local No. 357 Inc.

March 1, 2012 through December 31, 2012.

President Robinson: Is there a motion to adopt Ordinance C-2012-15 and call the roll?

Councilman Friend moved and Councilwoman Mosby seconded the motion to adopt C-2012-15 and call the role.

ROLL CALL

Ayes: McGinn, Mosby, Friend, Lindsey, Adams, O'Daniel, Weaver, Robinson

There being eight (8) ayes and zero (0) Nays, Ordinance G-2012-7 as amended is hereby declared adopted.

RESOLUTION DOCKET

RESOLUTION C-2012-16 (Docket)

FRIEND, LINDSEY

A Resolution requesting the administration to appropriate finds to improve and maintain city cemeteries.

WHEREAS, members of Council have witnessed certain conditions at city cemeteries, including numerous stones and markers laying on the ground; and

WHEREAS, members of the Council believe that the markers and stones should be restored to an upright condition, and be maintained thereafter, so as to enhance and preserve the appearance and dignity of the cemeteries.

President Robinson: This was...the sponsors were Councilman Friend and Councilman Lindsey. I think maybe you want to kind of explain why you did this.

Councilman Friend: Well I had the opportunity because I go by Oak Hill Cemetery quite often on my way home so I had...

President Robinson: Do you visit or what?

Councilman Friend: I do visit, yeah, yeah. Some sections of the cemetery are in pretty good shape. I would say when you initially come off to your, the port side, as they would say coming in but when you

go back in the older sections the stones are in pretty bad shape. They are laying, I mean they, it looks like somebody went in there with a four-wheeler and just ran across a lot of them. They are laying on the ground and , a lot of them, these are old stones.

Talking about back in the late 1800s and early 1900s and the families are no longer around any longer. They have either moved away or died off. Quite frankly nobody cared to restore them. And normally in the past, we have an ordinance in the city that the families are supposed to take care of their own stones and sometimes you've just got to pick up the slack and do that so that was my idea.

President Robinson: So you are asking that we put money in. That the administration puts money in there. Do we have any...is there any...

Councilwoman Mosby: How much?

Councilman Friend: I'm sorry?

Councilwoman Mosby: How much?

Councilman Friend: Right now we've only got \$10,000 in this fund. In years' past each cemetery got

\$25,000. Russ, is that not true?

President Robinson: And that's just to repair the headstones?

Councilman Friend: To take care of the stones and that...is that...I believe...

President Robinson: Is there that much damage to stones?

Councilman Weaver: Is that just to pick them up?

Councilman Friend: Yeah, I mean they are lying; they are just lying on the ground now.

Councilman Weaver: Couldn't the normal grounds keeper pick them up?

Councilman Friend: Well some of them need to be epoxied back on cause they've been broken off.

President Robinson: How do they get broken? Is it from cutting the grass?

Councilwoman Mosby: Can we have a Department Head come up here please.

Councilman Friend: I'don't know I guess we need some input on this.

Councilwoman Mosby: And it is my understanding that the City is not responsible for the stones, correct?

Councilman Friend: We are not replacing them. That is the difference. We do not replace stones. This is just some common courtesy (to) go out there and straighten those stones back up.

Go ahead sir.

Todd Robertson: Todd Robertson, director of Transportation and Services. I greet all of you. In reference to the cemeteries and the stones, you are correct in that according to the ordinances, each family is responsible for their own stones once they put it in. We understand that. I think you can all take that into consideration because when you go in to the cemetery you notice all different shapes and sizes, you notice all different textures and what have you. They are picked out by the family because the family owns the stones. However, there is a small portion that has actually been allocated in the amount of \$10,000 for each, or budgeted, \$10,000 for each cemetery, which is for the older, outdated stones that have no residents or no family members. Once we cannot contact the family members then there is a decision made within the structure of the city personnel and we present that to the board for uprighting of stones and we do some repairs of stones. However, at one time, Councilman Friend is correct, approximately two or three years ago, there was \$25,000 allocated within the budget for uprighting the stones. This year, we have \$10,000 per cemetery that has been allocated for uprighting of stones.

To answer another question, internally we do some uprighting with the existing personnel. However, there is more need than what we are able to do and then there is also the idea that our equipment only allows us to do so much. We can do some of the smaller stones, and we have done that. Since the articles have come out in the paper, I have been out to the cemeteries on numerous occasions myself to find out exactly what repairs are needed. I had not been out there before but you do take a special notice when they bring out certain things because you want to understand, try to understand, exactly what it is that you are looking at. Some of those stones are older. I do know that since I have been looking into this, some of your older stones and some of the composites that they are trying to use to repair the older stones, the textures...you make the repair but you see some of them now already deteriorating some from the previous stone bid that we did.

It is a great concern to us and I think I understand the need is great, it really is. I don't know...I don't personally have the answer because you could really expense a lot of money and still not be able to know where to stop. Where do you stop? But that does not also mean that we ought not go back to perhaps the \$25,000. Because we can use it. If you allocate it, we will use it. If the allocation is there, we will use it but we understand that there is a great need and I do not know that even with the \$25,000, that is just a drop in the bucket when you start looking at the age of the cemetery. I think the cemetery dates back to 1835, or 18 something like that, so there is a great need in certain areas of the cemetery.

President Robinson: Well I guess the question I have...we reduced it from \$25,000 to \$10,000, how many in the past use that total \$25,000 that was allocated? Did we use all that money or...?

Todd Robertson: From what I have been able to recover, no we have not used all of it the amounts expensed because of some of the other needs that surfaced in the cemeteries. One of the things I know that I recall in, I guess it was in last...010 that they had a portion that was allocated and they were not able to use all of that for stone uprighting because they were using it for paving to try to pave the roads. The cemetery roads were in disrepair. They worked a deal with the county where the county would come in at a cost that was cheaper than hiring an outside contracting firm to try to make the roads presentable for traffic. That was one of the areas that called for curtailment of uprighting of the stones, just to use it for paving.

President Robinson: How much is put in there for 2013, Russ?

City Controller Lloyd: Currently under the Riverboat, which is where it is, for Locust it is \$10,000 and actually improvements, other building, it looks like \$26,000 for 12, for 2012 and it was \$10,000 for 2011.

President Robinson: John, what kind of figure are you looking at?

Councilman Friend: Well, I'm not...I mean I rely upon the city to make that determination. I mean you have to have a cut off. I mean you can't spend, I don't know Russ, can you maybe get back with us and let (Inaudible) can be?

Councilwoman Mosby: How much have we spent this year to date, do we know?

Todd Robertson: To date we are still doing an assessment of areas because when we come in, we do the stone bid, we are compiling that together now for the stone bids. We kind of...we have had this conversation about how to address this in such a way with smaller portions of the amount of money we have to where we can see maybe some evidence. If you take just some of the worst stones perhaps and they are sporadic, you may never recognize that we have done anything.

President Robinson: How many stones are we talking about?

Todd Robertson: Oh, it's considerable. It is considerable.

Councilman Adams: Can I ask a dumb question? Would it be abhorrent just to stop this? In cemeteries in New England, old 100-year-old cemeteries, the stones are just kind of the charm of the older cemetery. If the families aren't taking care of their stones, maybe we ought to let the life force of the stone dissipate.

Councilman Weaver: I was going to suggest maybe just get one that lay's on the ground flat to replace the broken, deteriorated ones, I don't know but...

Councilman O'Daniel: What would be most cost efficient? I mean that may not be a bad idea. If you have a stone from 1880 that is just almost indecipherable at this point and it is broken or lying on the ground, would it make some sense, I mean is it cost effective to just put a plaque down.

Todd Robertson: I think that is an option but then it just comes back to a matter of cost...

Councilman O'Daniel: Well that's my point. What does it cost to upright a stone versus create a brand new plaque which from a maintenance standpoint would very easy to maintain.

Todd Robertson: I may be a little out of line to say this but I want to say that I think we have the right to do that but the stone belongs to that plot. If we remove...

Councilman Adams: Why couldn't you just put the stone flat and just leave it alone?

Todd Robertson: Oh, you are talking about just laying the stone...

Councilman Adams: Yeah, I'm not talking about a new plaque or anything like that.

Todd Robertson: Well I was thinking you were talking about...

Councilman Adams: Why not just get the pieces and form them on the ground, as they do in lots of old

cemeteries all over the world. As a matter of fact, in England and France I have seen them. Just so you do not have to keep monitoring them; you don't have to keep repairing them.

Todd Robertson: That is possible.

Councilman O'Daniel: You know I would actually like to hear from...I want to address this to Jordan Baer because I know he's the one who sort of brought this to (Inaudible) attention. (Inaudible) into the graveyards at night... (Inaudible)

Councilman Adams: Yeah, that is what John does. He is there on Friday night

Councilman O'Daniel: He brought this to attention and I want to point this out because I want to (Inaudible) maybe what your thoughts are on how you would address this problem.

Jordan Baer: First of all, I have got a blog for this pictures. Its http://agraveinjustice.blogspot.com/. I do not have the pictures with me (Inaudible) so I do not have the pictures with me but you can visit them 24/7.

It is not just Locust, it is not just Oak Hill and it is not just one, you know, like Section 56, Section 58. It is about all the older ones. The new ones, you know like the veterans ones, they look great. I visited Hank Roberts. That is how I got there to see this. His looks great. He died in '86, that looks great. But as you start moving to the back, like you know, with the older plots, yeah, you are seeing...I don't really...some people say it is vandalism. I mean, I cannot say for sure one way or the other. It does not appear to be vandalism. Some of it is erosion. It is my opinion that if you keep the thing standing up, you know, you will not have these problems. Because what happens is some of these, you know, are just little bitty things and when one falls over, it hits the other one, and the other one, and the other one. That's how...it is a chain reaction.

Councilman O'Daniel: What about Dan's point that it creates charm?

Jordan Baer: No, I do not agree with that at all.

Councilman Adams: You have not been to many cemeteries then. I mean all over. Seriously, all over. They do lie down and they just...

Jordan Baer: I do not have a problem with them lying down but just letting them erode. I mean just letting it be like it is now...they are crooked, they are going this way, and they are going that way. I have no idea how...

Councilman Adams: Well, All I am suggesting is that they get fixed once rather than every other decade or every four or five years. If you lay them flat, put the pieces together, the essence of the thing will be there, you can keep it in the plot and we will not have to maintain it.

Jordan Baer: Yeah, that would be fine, yeah.

Councilman Lindsey: You know I've got an answer for a lot of these problems like this right here. We always seem like we are trying to invent the wheel at these meetings but somewhere out there somewhere, somebody has already addressed these problems. Is there any chance we could have someone look into that and find out the answer they used because you know...?

(Laughter)

Councilwoman Mosby: Are we going to do another study?

Councilman Lindsey: I mean we are out here just beating things to death and most the time, somebody else has already done the work. All we have got to do is copy their solutions and see if they will work for us.

Jordan Baer: I would like to add, I mean I am not blaming anybody here. I mean this is a problem; I mean there is no telling when it started.

Councilman O'Daniel: I guess my point is this, you know I guess what one person views as desecration or whatever may be a blight on the city, another person may view as charm. I do not know if that is something that we maybe just compile, you know, through the cemeteries. You know, what do people who go out there and visit, what do they want to see? Rather than just throw money at the problem because it sounds to me like it is a never-ending problem if we are talking about thousands of markers.

Jordan Baer: It would seem to me it would start with, you know, getting some of them straight up, you know, straightened up, and then you go from there.

President Robinson: How did you discover this? (Question directed at Jordan Baer)

Jordan Baer: How did I discover it? Yeah, I went out to visit Hank Roberts at Oak Hill and...

President Robinson: And then you just started looking at...?

Jordan Baer: Yeah, yeah you drive through on the new paved road that they did a good job with and...

President Robinson: Yeah the roads look nice.

Jordan Baer: Yeah the roads are fine, the veteran's areas are fine, and the newly buried people are fine, the grass, you know, was great. It is just...

President Robinson: I like Dr. Adam's idea I think with the charm. I think that adds a...I think that is unique. You know you kind of...I find it hard to sit up here and think about the cemetery when I go back to raises. Those people want raises, we are wondering about the cemetery and the tombstones, and you know, we have got to be careful how...we need to prioritize how we spend our money.

Councilman Weaver: Hey Jordan, what is that website?

Jordan Baer: http://agraveinjustice.blogspot.com/

Councilman O'Daniel: (Inaudible – Microphone not on)

City Controller Lloyd: It has been address in 12; we haven't completed 13 yet but we would obviously do what the Council recommends.

(Inaudible)

Todd Robertson: I wanted to bring up in reference to a question that he asked...had we done any additional research to find out? We have made some calls into the state Executive Director for the Indiana Cemetery Association. What we are doing is in line with the State of Indiana. What we already have established is in line with the State of Indiana. In addition to what he was asking us about, there is another place in Crown Hill where they have set up a foundation to where if anyone wants to donate for the uprighting of stones and to address the additional need. Now I guess the question is how much? Back to that again, how much do you want to put into, invest in, uprighting...and then let me say one last thing and then I'll be quiet.

He asked some of the questions about the stone. Some of the material that is used in the older stone is a little bit softer and that is part of the historical integrity. It is a little softer than the material we currently use today. So some of that, you will see erosion portions from the 1800s.

President Robinson: Could we adopt a plot?

(Laughter)

Councilman Adams: (Barely audible – Microphone not on) I think after a certain time, 50 years, 75 years, whatever (Inaudible) because that is what I have seen at cemeteries (Inaudible) I think we are spending money to keep something going that I don't think has to be done.

Councilwoman Mosby: And we need to be careful how much money we are spending. I mean, we keep coming in front of Council for money for this and money for that and we don't have it.

Councilman Adams: (Barely audible – Microphone not on) Any headstone over 50 years, if it falls over, you leave it down (Inaudible) in the plot.

Councilman Friend: I think you folks really need to go out and take a look at that because you haven't visualized it.

Councilwoman Mosby: I have been out there.

President Robinson: I go to the mausoleum and that is it. And it needs work.

Councilman Friend: Well, I am just saying it is whatever the community wants to think as important or not, you know, this is what it comes down to. You know, maybe, you know, it is not Arlington Cemetery; I get that, okay, but...

Councilman O'Daniel: You know what I would ask that the resolution be amended just, you know, approve sufficient funds that all cemeteries be approved and maintained. We can strike specifically to reinstall and place upright. I think we can leave to the people who are running the cemeteries or if there is a way to do it with some integrity because you can't, because of the marble or whatever else it may be. Maybe putting it down, as Doc Adams was saying, is the most, the best way of doing that. So if we strike that last clause...

Councilwoman Mosby: Which clause are you talking about striking?

Councilman O'Daniel: Just so...I think we ought to have enough money there to repair if need be, and maintain the cemetery.

President Robinson: It don't sound like it, \$25,000, (Inaudible)

Councilman Friend: Well we've got to remember that this just didn't happen overnight. What is going on here, this is probably 15 or 20 years now going on. I doubt there has been much spent on this particular item so we have got a 20-year problem here. And we won't be able to fix it right away. You need to have a schedule and do it in the next three or four years. Just start on it.

Councilwoman Mosby: Will that be enough money to fix it in three or four years? I doubt it.

(Inaudible discussion in background)

Councilman Adams: If you spend \$10,000 a year putting these headstones, these older headstones, into some sort level thing, you won't have to do it again. It is a one-time repair. And I promise you, if you go to old cemeteries all over, well, Western Europe and New England, that is what they do. And if the family isn't there to take care of it, I don't...this isn't desecration; this is just being realistic about how you spend your money. And I have an amendment.

Councilwoman Mosby: What was your amendment?

Councilman Adams: The amendment was, any stone that falls over after it's been buried for fif...the person, the poor person has been buried for 50 years, they attractively place it flat in that burial site so you don't have to keep trying to prop something up.

President Robinson: And if it is cracked or whatever, just...

Councilman Adams: Yeah, just put it together

President Robinson:...put the pieces around.

Councilman McGinn: Just real quick Todd, you were actually talking about some of these things, you are actually talking about gluing the stone back together that broke, right?

Todd Robertson: Correct.

Councilman McGinn: Yeah, I don't want to do that. I mean I like just laying them down, put it together, puzzle-like, put it back...the guy doesn't care anymore.

Councilman Adams: And the family doesn't.

Councilwoman Mosby: And if the family is gone.

Councilman McGinn: That is the whole intent of cemeteries, everything dust to dust. I mean, eventually granite turns to dust and if we just want neatness and uniformity, I mean I agree with Dan. I have been in some very cool cemeteries in Europe and they just lay them right down. You know, I mean there are 600-year-old graves. You don't know who is there; everything eroded away and that is just

what is supposed to happen. You know, I don't think there is a moral obligation to re-etch some headstone that has been there for 175 years. I don't feel it.

Councilwoman Mosby: And I just do not feel we have the money. If we do have money then we need to spend it elsewhere.

President Robinson: Missy, you guys are one-step from broke.

(Laughter)

Councilman Friend: Russ, what have you...?

Councilman Adams: (Inaudible) you need to find out...

President Robinson: Okay, okay.

Councilman Friend: Did you bring the budget up to like it has been in the past, to \$25,000?

City Controller Lloyd: We can do that. We have not completed the operating budget yet. That is

what we are working on.

Councilman Friend: I mean that would bring us back to levels we had before.

City Controller Lloyd: I mean we can put that into the 13 budget; that is what we are working on.

President Robinson: I like Dr. Adam's idea because I think, you know, it could be so expensive there

should be a timeframe in there.

Councilwoman Mosby: I would second that motion.

Councilman Adams: I'm sorry?

Councilwoman Mosby: I would second your motion.

Councilman Adams: Thank you.

President Robinson: Okay, you want to...do you know what you second?

Councilwoman Mosby: He was talking about laying the...

Councilman Adams: (İnaudible) over 50 years, it stays down in a respectful manner.

President Robinson: So they would only replace...fix anything 50 and less.

Councilman Adams: Yeah.

Councilwoman Mosby: Within the budget.

Councilman Weaver: Are we going to dig out a couple of inches to lay it flat?

(Inaudible-Multiple speakers)

Counsel Hamilton: This in a non-binding resolution so what you are conveying is not binding; you are submitting your message...

Councilman Adams: Well I am obviously trying to convey a different way of looking at the problem so we can save money. Fix it once if you are going to fix it.

Councilman Weaver: And do it right.

Councilman O'Daniel: This is a good discussion but the reality is it is non-binding. So I think, you know, if we get this to the people that are doing it then maybe they will take our...they will heed our advice. It seems like a...

President Robinson: You know you wouldn't have to put that in there... (Inaudible)

Councilman Friend: I guess what is fascinating about this...

Councilman Adams: Well we can take the money out of the budget too.

Councilman Friend: What's fascinating...

Councilman O'Daniel: That is what I am saying, we just...

Councilman Friend: If I may, what has been fascinating about this, we, this Council has spent...we have talked about millions of dollars on a lot of projects in this city. We surely have. We are only talking about a handful of dollars here just to try to do something that is nice in our cemeteries. That is what has fascinated me.

President Robinson: Well I think John has brought this to our attention and I mean it is worthy to be brought to our attention. We know that something has to be done and there needs to be additional money put into the budget. However, why don't you just withdraw your resolution so that we can go on to the next...?

Councilman Adams: Well wait a minute. I am not going to withdraw my amendment. Nice try.

Councilman O'Daniel: It has been seconded, right?

Councilman Adams: Yeah, you need to vote it up or vote it down.

Councilman O'Daniel: I guess I would like to know how many gravestones are we talking about and what is the percent of those that are 50 years and older? I mean, you know, we are starting to talk about abstracts here.

Councilman Adams: No we are not.

Councilman O'Daniel: Well sure we are. If we have 1000 gravestones and ¾ of them are over 50 years old we are only talking about 25% of those, right? How much does it cost to upright those? And then we would have to figure out what the budget would be.

Councilman Adams: The bottom line is I think...

(Inaudible - Councilman O'Daniel and Councilman Adams speaking simultaneously)

Councilman Adams:...because I am trying to have to do this once, not over and over again.

President Robinson: Okay, can we have a vo...go ahead.

Todd Robertson: They asked the question and...the cost to repair or upright a stone could go as high as \$1,500 and as low as \$70.00 per stone.

President Robinson: And you think we have over 100 out there?

Todd Robertson: It's several, it's several...

President Robinson: Several hundred?

Todd Robertson: Several hundred out there.

President Robinson: That's just at one cemetery?

Todd Robertson: That's just probably at one cemetery. Keep in mind though the age of the cemetery. There are quite a few that are deteriorating just by normal wear, sun, rain, some of the integrity of the stone. I think with the amount that we have spent, we could get about 42 of them, depending on what we get, for about \$10,000. Sometimes 36; sometimes little small repairs you may get 34 of them I guess for a few thousand. It just depends. It all depends. It is a varying number. So that is all I have.

Councilman Friend: So, as I understand it, we have an amendment.

President Robinson: We have an amendment...

Councilman Friend: So what was exactly...?

President Robinson:...that we repair any stones that are over 50 years.

Councilman Adams: We repair...

Councilwoman Mosby: Within budget.

Councilman Adams: We repair them by letting them down. Any headstones over 50 years old that fall down stay down in the area of the burial plot instead of trying to prop them up.

Councilman Weaver: That shouldn't cost anything.

President Robinson: Yeah, just leave them, okay. If they are over 50 years but if they are under 50 years then we replace them, is that what we...or fix them.

Councilman Adams: Personally I would just...

Councilman O'Daniel: Let the... make the (Inaudible)

President Robinson: But if the family members are not alive...

Councilman Weaver: Then it should be all of them. Why don't we just do all?

Councilman Adams: Actually, you are right Jon. The amended should say any stones that fall down, that the family is not taking care of, ought to stay down.

Councilman Weaver: Make it simple.

Councilman Adams: In an organized fashion.

Councilman O'Daniel: Then if we are going to do that, we don't need a resolution. We need to zero out the budget.

President Robinson: So now we are not going to fix it...

Councilman O'Daniel: So instead of just...it's the polar opposite of what is resolved.

Councilman Friend: That's incredible.

Councilman Adams: But still it takes somebody to...

Councilman Weaver: We need to make sure it is still addressed. That is why we are talking about this.

Councilwoman Mosby: It would still require some money.

President Robinson: (Inaudible) accept John's resolution as is?

(Inaudible – Multiple Council members speaking)

Councilman Adams: I don't think you can do that.

President Robinson: Well I can have my motion too, can't I?

(Inaudible - Multiple Council members speaking)

Councilman Adams: Any headstone the family is not taking care of that falls down, stays down.

(Inaudible)

Councilman Weaver: Second.

Councilman Friend: (Inaudible) That's what we have now.

President Robinson: Yeah, that is what you have now.

Councilman Friend: That's the way it always was.

President Robinson: So you are saying not to change anything then?

Councilman Adams: Well I would just like it to dignify that they are all (Inaudible)

(Inaudible - Multiple Council members speaking)

Councilman Weaver: Instead of looking discombobulated, it is going to be...

Unidentified Voice: (Miçrophones off, barely audible) I cannot believe we are even talking about this.

President Robinson: I can't either.

(Inaudible - Multiple Council members speaking with microphones off)

Councilman Adams: All right, I'll tell you what. John if you'll pull back the resolution, I'll get rid of my amendment.

Councilman Friend: Well, I think everybody understands what we need to do. I hope the administration would take this conversation we've had today and do what you can out there. Let's have some pride in our cemeteries if we can, as much as we can.

Councilman Adams: I withdraw my amendment.

Councilman Friend: I withdraw it.

President Robinson: You withdrew your resolution.

Councilman Adams: Miscellaneous Business.

President Robinson: Pardon?

Councilman Adams: Miscellaneous Business.

MICELLANEOUS BUSINESS There will not be a City Council Meeting next Monday, July 30th or Monday, August 6, 2012: The next City Council meeting will be Monday, August 13, 2012 at 5:30 p.m. Committee meetings will begin at 5:20 p.m. on August 13th.

We have two board appointments. The Fire Merit Commission appointment. As you know I sent everybody an email requesting a recommendation to the Fire Merit Commission. I only heard back from Councilwoman Mosby. Jim Nunning is willing to go ahead and serve if we didn't have anyone else so can I have a motion?

Councilwoman Mosby moved and Councilman Adams seconded the motion to re-appoint Jim Nunning to the Fire Merit Commission for four (4) years. Voice vote. So ordered.

We also have the Haynie's Corner Art District Advisory Commission and our appointment to that is Phil Raspberry. I think he has already...I see Mr. Hooper here. Mr. Hooper has already met with Phil Raspberry.

Can I have a motion to appoint Phil Raspberry to the Haynie's Corner Art District Advisory Commission for a period of two (2) years?

Councilwoman Mosby moved and Councilman Adams seconded the motion to appoint Phil Raspberry to the Haynie's Corner Art District Advisory Commission for two (2) years.

Next we have Pat Keepes, the City Engineer. I think Councilwoman Mosby asked you to come and discuss the Fickas Road project.

Pat Keepes: Yes Ma'am, good evening. Pat Keepes, City Engineer's office.

I understand the issue of Fickas Road came up at the last council meeting. It is an area that I have discussed with several individuals over the years as to various types of improvements. I don't honestly know what specific questions came up at the last Council meeting. I will be glad to try and answer any questions that there are but I am quite familiar with the area.

Councilman Adams: Well, you and I have discussed this thing and there is a big ditch in there that is pretty dangerous with a very tiny shoulder. The question is when and how will that situation be ameliorated?

Pat Keepes: I can say that as far as the roadside ditches go, my office has prepared cost estimates as to what it would cost to enclose those with pipes. Specifically for what I would be the western half of that stretch, the entire stretch being from Green River Road to Vann Avenue. We estimate the entire cost of enclosing those ditches at about \$330,000. I believe the deepest ditches are probably on the western half from say the K2 Pump Station west to Vann Avenue and our estimate for that section is in the neighborhood of \$215,000, \$220,000 I believe.

Beyond that, I don't know if folks are looking at curbs, gutters, pavement widening, sidewalks, so obviously if we are talking about any of those categories, that cost is going to go up. We could certainly prepare estimates on what those additional features would cost.

Second, is it going to be done? I do not know that I in a position to say that any project out there can or cannot be done beyond a few that are in the works right now. I wish I had the ability to say yes to everybody that approaches me with a request, we can do, we can build it. Unfortunately, that is not the case as everybody here knows. The task of determining which projects get moved forward does fall, in large part, on me and on my office. We have to use our professional and engineering judgment as to which projects move forward, which ones the greater community get the most benefit from. I am not going to stand up here and diminish the concerns of the individuals that have been trying to get these particular improvements done because I understand that those are very important issues to them. I have the responsibility, however, of looking at the city as a whole and seeing where we can get the most return on our investment. If I am going to look at piping ditches along Fickas Road, which sees a few

hundred vehicles a day, versus building intersection improvements at Lincoln Avenue and Green River Road, I am obviously going have to go with Lincoln Avenue and Green River Road.

But if we can find the means, again, realizing that this is an important issue to a lot of folks, I have no personal opposition to this project. I am simply offering the best judgment and opinion on priority projects that I have.

President Robinson: Can I take that to say...are you saying it is not on the list?

Pat Keepes: No Ma'am. It was actually placed in the CIP for construction in 2013. As was indicated a little bit ago, the budget for next year has not been completed yet. This is one of the projects that I am weighing. Whether or not it makes it through that budget process remains to be seen but I am not in a position to say that it will or won't.

President Robinson: It is an important project but you are not getting the best bang for your buck, huh?

Pat Keepes: It is an important project to a lot of folks. If I have to pick between...if we have X number of dollars and I have to choose between that project or improvements on the Lincoln Avenue corridor, building the intersection improvements at Washington and Weinbach, which has one of the highest accident rates in the city, or a number of other projects: paving 520 miles of streets and sidewalks. I have to make some tough decisions there. Again...

President Robinson: I understand what he is saying, I do.

Councilwoman Mosby: We only have so much money.

President Robinson: (Inaudible) Mr. Mosby.

Councilman McGinn: I would like to make a comment too. (Inaudible) for years. Pat, I have never known you to be influenced by anything other than what is best for the city. You do a great job. You have an ability to do projects that I think benefit more people...the most people, let me put it that way and I understand you have a very difficult job. I don't fault you at all if this is not as high on the list to you and the rest of the city as it is to the neighbors. I mean, that's the way it is. We don't have enough money. I can't apologize for that. I mean it is what it is but I want to commend you. I think you do a wonderful job with the limited funds you have to keep our roads and streets in very good condition. I know you can't fix them all so don't apologize for your actions.

Councilman Adams: Yeah but I don't think it is as simplistic as how many cars go through and cars versus accident rate. You and I know; we have been out there. This is incredibly dangerous. There is no side on this thing. I think if you could probably just do 200 yards, the worst part from Vann east in terms of trying to improve the drainage. I know you just can't do it alone. That is a time bomb waiting to happen. We will all be very upset, you know, down the road but the element of danger should be dialed into the list.

Pat Keepes: It absolutely is. Point taken, and again, I just cannot stand here tonight and say the project will or won't be done but by virtue of the fact that I placed it in the CIP, I made an effort to put it on folks' radar and acknowledge their concerns.

Councilman Weaver: Can we clarify what the issue is? Is it a ditch issue, is it a road issue, is it a pedestrian, "I want to exercise on the road" issue, that maybe we should have a sidewalk on the north side...

Councilman Adams: To fix the danger, you have about a 4.5' to 5' deep ditch with no guardrail or any kind of shoulder at all, it is just straight down. As you come around Vann, the problem is that they have these bridges, cement bridges that are getting into the driveway. If you come around Vann and hit that thing, hit that cement bridge, somebody is going to die. I mean it is very dangerous.

Pat Keepes: We have prepared estimates on addressing that basic safety concern and I would suggest that we at least get through this upcoming budget process and perhaps there is a chance that we can at least address some stretch of that basic concern.

Councilman Adams: So you will come back in January and talk to us about this concern again?

Pat Keepes: I will be glad to.

Councilman Adams: Great. Fair enough.

Councilwoman Mosby: Pat, I just want to thank you because I called you with concerns, kind of told you what was going on and there had been some misconception that we were not trying to work with residents and we have been trying. You have it in the CIP. You are working to see what we can do for this years' budget and I appreciate your efforts on this.

Pat Keepes: Thank you and you are welcome.

President Robinson: (Barely audible – microphone off) Pat, I think there are people in the audience that probably have questions for you. Ma'am, (Inaudible) did you want to come to the podium? State your name and address please.

Ann Johnson: My name is Ann Johnson. I live at 4603 Frisse, the second house off Burdette. I have lived there since 19 and 60. When they widened Green River Road going down to 164, all the trucks and traffic came down Burdette Avenue and tore it up. Vann was supposed to have been the detour but people tore up Burdette. Vann was fixed but Burdette never was. School kids walking up this road, about a 15' pavement. Water stands in this road bad at Kathleen and Burdette.

They need to do something to widen Burdette. When we call in they bring gravel out there and put in front of people's houses and then they park their cars there. But this is a place we need to work and we can't go out Riverside. There is a guardrail at the end of it. You can't go out Frisse; there is a guardrail at the end of it. When my kids went to Caze School, that was a field up there. They took the path and went up to Green River Road. But we have to get out on Burdette but we are blocked in down there.

President Robinson: (Barely audible – microphone off) Okay, that is a different issue. Pat, can you talk about that issue?

Ann Johnson: It is right there where the Riverside and Vann is.

Pat Keepes: So if I understand you correctly Ma'am, you are looking for Burdette to be widened.

Ann Johnson: It needs to be something done. I have that 90" storm drain under and water stand on it all the time. It was tore up when they put the 90" storm drain in. It was tore up again when they widened Green River Road and it's never been fixed.

Pat Keepes: Again, just for my own benefit, we are talking about drainage...

Ann Johnson: From Pollack down to Riverside on Burdette, before you turn and go to Riverside and Vann.

Pat Keepes: I am familiar with the area but I want to make sure I understand if we are talking about drainage or pavement issues or both.

Ann Johnson: I don't know what it's going to take to fix it, I really don't. But we need to be able to walk or at least bike or something beside a one lane car (Inaudible).

Pat Keepes: So pedestrian issues?

(Inaudible - Multiple voices speaking simultaneously)

Ann Johnson: We got to get those kids to the schoolhouse.

Pat Keepes: I'll get your contact information.

Councilwoman Mosby: Yeah, if you could give Pat your information and then get back with me Pat. That would be great.

President Robinson: (Inaudible – Microphone off)

Don Mosby: That is right on this thing about Burdette Avenue, Caze School kids walking. I've sent one to Pat's office on this, it's right on her and I've talked to Pat before about Burdette Avenue. That water standing on and you coming o...she's right, you come in and put rock on it. The rock goes over here and the water goes out in the middle of the road where these people walk. Now you, I've talked to you on this before, about this.

Councilwoman Mosby: Excuse me, but we are addressing Fickas Road right now.

Don Mosby: Hey, I'm trying to help this lady here.

Councilwoman Mosby: And we have already addressed that with her she going to get with Pat.

Don Mosby: I'm talking to Pat and Pat said he didn't know nothing about it and it right on this paper.

Councilwoman Mosby: Can we please address Fickas?

Don Mosby: I'll address Fickas soon. Pat was talking about sidewalks and that. We didn't ask for sidewalks. We want the road widened and just where we got somewhere to walk and one guy did send him some money to put the tile in there and they sent the money back to him. We try to help out there on Fickas Road if they want to know and I got all that stuff here back in 107, I mean 2207 when we asked that money to send money to you ask to send money for some tile, that man sent it to him; they

sent it back, said they couldn't do it. Then they went right down here on Vann and put some tile on for people. That's the kind of problem we been in to. You want me to (Inaudible), I did.

Councilman Weaver: Hey Pat. Is it because of a flooding issue? Why are they three, four, five feet however deep? Those ditches, are they that deep.

Pat Keepes: Yeah. Because Fickas Road, being a very old road, was originally built without curb and gutter. To channelize the water to a storm sewer, you have roadside open channels to convey the storm water. It is not unlike other areas around town. That is just how they were built to accommodate the storm water runoff from the road. That is really it.

Councilman Weaver: So this would cost a lot of money to really redesign and...

Pat Keepes: Depending again or whether or not we put in curbs, gutters, sidewalks; I gave the estimate...

Councilman Adams: It doesn't cost somebody to put a guardrail in.

Unidentified Voice (without use of microphone): And a guardrail would be sufficient?

Councilman Adams: Well at least nobody is going to get killed if you put a guardrail in.

Pat Keepes: Probably to do the guardrail, we would have to make some shoulder improvements since it does drop off rather abruptly but, again, that is something we could look at as well.

Councilman Adams: That's up to you.

Councilwoman Mosby: We could look at that.

Councilman Weaver: That might be the cheapest alternative. Are there other areas in the city that have this issue? (Addressed to Mr. Keepes)

Pat Keepes: Yes sir.

Councilman Weaver: Can you describe where.

Pat Keepes: There are a couple that come to mind. On the north side, Christ Road, Mill Road. There are many others around town. It is not unlike a lot of areas around town but those are a couple that come to mind.

Councilman Weaver: So how many complaints do we get about that area on the north side compared to here, Fickas?

Pat Keepes: Lately we have been getting more on those two that I just mentioned.

President Robinson: (Barely audible – microphone off) I think the gentleman probably has a question he wants you to answer. He lives out there.

Russell McLeod: My name is Russell McLeod. I live at 4401 Fickas Road. He's talking about these ditches. That road is dangerous. There is going to be somebody else that is going to get killed on that road. My wife done broke her hip on it. There's been a man got killed down there at Green River and Fickas.

These ditches is too deep and there's no embankment, there is nothing. Like Doc Adams said, you step to the edge of the pavement, you're in the ditch and I mean a ditch. I'm not talking about a little shallow ditch. I'm talking about one that's serious. And I think the guardrails may help but that's still not a gonna help. All we are asking is get the ditches filled in and widen the road where it's safe. I'm not asking for no sidewalks, no curbs, none of that stuff. That is my answer.

President Robinson: (Barely audible - microphone off) Can you do it without the sidewalks and fill the ditches in?

Pat Keepes: Yes Ma'am, we could.

President Robinson: (Inaudible - Microphone off)

Pat Keepes: Again, for the total stretch from Green River to Vann we are talking in the neighborhood of \$330,000 just the pipe the ditches, no sidewalks, no curbs, no gutters.

President Robinson: (Barely audible - microphone off) And you have the complete project in the budget, is that correct? Capital Improvement. You had everything with the sidewalks, the...

Pat Keepes: No Ma'am. It was just to pipe the ditches.

President Robinson: (Barely audible - microphone off) Just to pipe the ditches.

Pat Keepes: Yes Ma'am.

President Robinson: Okay, is there any other...yes Mr. Mosby.

Don Mosby: I just want to ask a question. How much do you think it costs just to (Inaudible) fence all the time? That's what the problem is now. You're gonna have to widen it if you put a fence there because two cars and a bus can't get down the street now. If you put a fence there everybody be running into it, getting their cars tore up. The best thing to do is fill the ditches and that's all we ask for is pavement for a guy to walk on.

What they did down there when they put the Habitat houses in, they filled that path, they filled that ditch in there right in front of new Habitat house and they put the ditch back this way. Aint that right? Aint that right?

Councilman Weaver: Mr. Mosby, all I keep hearing is fill in the ditches, fill in the ditches. My question is, where is the water going to go? Aren't you concerned about flooding?

Don Mosby: You all worried about flooding. All this water come from Washington Square. The big 96" sewer come down Burdette, went down there and goes to the pumping station, and all these people...where you think the water's going? It comes from here, there is a pumping station right there. They pump that water right into the pumping station. So you all did...they say...I lived there all my life

- 22 -

out on Burdette, like the lady was talking about, comes down there. Only thing, last improvements been there you don't want me to tell you. Mike Vandeveer put it in. He put some curbs, he didn't put sidewalks, and he widened the street on Frisse and Kathleen and he was going to go to Riverside but he aint got there yet and I aint even going ask about Riverside cause these people on Fickas Road is gonna to get killed.

And you have got new Habitat down there. It's got all these kids riding bicycles and stuff up there. You put that fence there, cars gonna to run into it. You gonna have to fill the ditch in fore you move the fence over. Why don't you just fill the ditch in, leave it there like a walkway. That's my suggestion. It'd be cheaper than putting a fence up. That fence is gonna to cost some money too and people gonna to be running into it.

President Robinson: Thank you Mr. Mosby. Are there any other questions from anybody in the audience for Pat or anybody on Council?

(Inaudible)

President Robinson: Is this something different, Ma'am?

Ann Johnson: Yeah. Besides Caze School getting the Habitat children, they are going to put in a big sub-division on south Green River Road from Earl Avenue down to Riverside Drive so we will have all that construction and heavy equipment out there again.

President Robinson: (Inaudible – Microphone off) Is there anything else under miscellaneous? Yes Councilwoman Mosby.

Councilwoman Mosby: In light of what happened in Colorado last week, I asked Mr. Hamilton to draft a letter from City Council. It is a letter of support for Aurora, CO community and for the response to the events of July 20, 2012. I am just going to pass this around so Council can sign this and then we will send this off to the mayor and city council of Aurora.

President Robinson: Okay, thank you. Yes sir.

Randy Jones: Randy Jones, 915 Oak Hill Road. As far as Oak Hill goes, I go through that cemetery all the time. I live across the street from the cemetery. I am probably one of the very few that can actually look at where I am going to be when I pass on. I know that's hard to say but...as far as the vandalism at Oak Hill cemetery, I have a ten thousand...ten million flood light...you would be surprised at one or two or three o'clock in the morning what goes on at that cemetery at night. I could write a book. I've called the...

(Inaudible Question – Microphone off)

Randy Jones: If the fence is opened up. I mean, you know. I have several times yelled. I used to call the police but, you know, by the time they get there, their gone. You would be surprised on...like one day, the Decoration Day, or that's what we used to call it, Decoration Day, I saw a lady with a pick-truck picking up flowers after the people got done taking them out and I called. She stopped doing that but, Oak Hill, I kind of like your idea to lay them because that cemetery is a beautiful cemetery. It can be made to look nice. Like I said, I am right across the street from it, I look at it every day. That is all I have to say.

President Robinson: Okay, anyone else in the audience?

Diana Kempa: Am I miscellaneous?

President Robinson: Yes. I've been waiting for you.

Diana Kempa: Oh, well thank you. Diana Kempa from Oak Hill, not Oak Hill Road. Oh good grief. Spring Valley Road. I am just going to say real quick about Fickas. I asked around and it seems to be a 20-year disgrace and all they want is a bandage. Everyone I talked to said they just avoid the road and I haven't even gone down there to check it out.

But I also talked to you last week about us starting the B 4 Us. That is Boot Camp for Us and the 4 designates four women who have been murdered here: LaTonya McNary in a pick-up truck with Rob Krietemeyer. He just got mad and stabbed her. She was 49 years old. Then Rachel Lomax. She got her head bashed by Raxson McDowell. He woke up in the morning with her dead. He didn't even remember doing it. Then there is Kathleen Goffinet, shot while holding her three-year-old babe in her arms at the Texas Longhorn; shot by 26-year-old Anthony, her husband. The last one, Anna Yockum, 47-years-old. That was in the news just last week. They had just moved into the place 12 days before that and he beat her so hard he severed her spinal cord. I got this information from Annie Groves, the coroner and Tom Lovett at the paper.

Anyway, we are starting the Boot Camp for Us now. It's not just for women but the fact of the matter is this is one of the only country's in the world that does not have self-defense classes for our grade school children in the schools and Annie Groves think it would be great to get it instituted into the schools. We already have a grant writer and you may send donations to...it is tax deductible, we are setting up 401C, to General Delivery, Evansville, IN 47715 along with any questions you have or to obtain a dual application.

And I guess that's it.

President Robinson: Okay, good luck.

Diana Kempa: Well thank you. See I don't want...did I already say I don't want anything now? Okay, well I spent the day at the zoo. My daughter showed up from Iowa with the grandkids and so I got my picture taken with the giraffe.

Real quick. Can I ask Dr. Adams a question?

(Inaudible - Microphone off)

Diana Kempa: No, I think you would like to answer this. This is about smoking addiction and nicotine. Am I right in assuming that it is not the tobacco that is causing the problem? It is the nicotine additive. Is that right?

Councilman Adams: (Inaudible - Microphone off)

Diana Kempa: It is natural. Okay, so it is the nicotine, wow.

Councilman Adams: (Inaudible - Microphone off)

Diana Kempa: See, well after talking to somebody from here, I've come full circle and I am going to keep that to myself right now.

Thank you.

President Robinson: (Barely audible – Microphone off) Thank you.

Okay, Committee Reports. ASD Committee Chairwoman Mosby.

COMMITTEE REPORTS:

PUBLIC WORKS COMMITTEE:

CHAIRMAN DAN McGINN

Nothing scheduled at this time.

A.S.D. COMMITTEE: Ordinance G-2012-14

Date: August 13, 2012

Time: 5:20 p.m. Notify: John Hamilton

CHAIRMAN MISSY MOSBY

Amending Section 9.10.020 of the Municipal Code regarding fireworks

FINANCE COMMITTEE:

Re: City/County Joint Budget Hearings

Date: August 7, 2012 (Tuesday)

Time: 3:30 -? Room 301

CHAIRMAN JOHN FRIEND

Re: Community Development Block Grant Agency Presentations to City Council

Emergency Shelter Grant

HOME

August 8, 2012 (Wednesday) Date:

Time: 4:00 p.m. to 6:00 p.m. Notify: Donna Bailey (DMD)

August 14, 15, 16, 2012 (Tuesday, Wednesday, Thursday

City Budget Hearings Re:

August 14th; 2012 (Tuesday) Date:

7:00 p.m. Time:

Room 301

August 15, 2012 (Wednesday) Date:

4:00 p.m. Time:

Room 301

August 16, 2012 (Thursday) Date:

4:00 p.m. Time:

Room 301

Council Hamilton: If any of you are served with papers in the federal lawsuit, would you just please get it to me or the City Clerk. Some of you may be served with the lawsuit so just give it to me.

President Robinson: (Inaudible - Microphone off)

ADJOURNMENT

Can I have a motion for adjournment?

Councilwoman Mosby moved and Councilman O'Daniel seconded the motion to adjourn. Voice Vote. So Ordered.

Meeting adjourned at 7:30 p.m.

Jama Program Laura Brown, City Clerk

Constance Robinson, President

City Council Agenda Evansville, Indiana July 23, 2012 Civic Center, Room 301 5:30 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

RECOGNITION OF SCHOOLS

READING AND AMENDMENT OF MINUTES

REPORTS AND COMMUNICATIONS

CONSENT AGENDA

FIRST READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-14 A.S.D. MOSBY, ADAMS, WEAVER, LINDSEY An Ordinance amending Section 9.10.020 of the Evansville Municipal code (Fireworks)

CONSENT AGENDA

SECOND READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-7 PUBLIC WORKS McGINN

An Ordinance to vacate certain public ways or public places within the City of

Evansville, Indiana, commonly known as the right-of-way part of S.E. 5th Street, in Donation Enlargement

ORDINANCE G-2012-12

PUBLIC WORKS

McGINN

An Ordinance amending Chapter 13.20 (Wastewater Discharge Regulations) of the Evansville Municipal Code

ORDINANCE G-2012-13

A.S.D. (MOSBY)

LINDSEY

An Ordinance of the Common Council of the City of Evansville, Indiana, amending Chapter 2.50 adding Section 2.50.041 of the Evansville City Code (Redevelopment Commission)

ORDINANCE F-2012-10

FINANCE

FRIEND

An Ordinance of the Common Council of the City of Evansville Authorizing Transfers and Appropriations, Additional Appropriations, and Repeal and Re-Appropriation of Funds for Various City Funds

RESOLUTION C-2012-15 FINANCE

FRIEND

A Resolution of the Common Council of the City of Evansville Ratifying, Confirming, Authorizing and Approving an Agreement between the City of Evansville and International Association of Firefighters Evansville Local No. 357 Inc.

March 1, 2012 through December 31, 2012.

City Council Agenda Evansville, Indiana July 23, 2012 Civic Center, Room 301 5:30 p.m.

REGULAR AGENDA

THIRD READING OF ORDINANCES OR RESOLUTIONS ORDINANCE G-2012-7 PUBLIC WORKS

McGINN

An Ordinance to vacate certain public ways or public places within the City of Evansville, Indiana, commonly known as the right-of-way part of S.E. 5th Street, in Donation Enlargement

ORDINANCE G-2012-12

PUBLIC WORKS

McGINN

An Ordinance amending Chapter 13.20 (Wastewater Discharge Regulations) of the Evansville Municipal Code

ORDINANCE G-2012-13

A.S.D. (MOSBY)

<u>LINDSEY</u>

An Ordinance of the Common Council of the City of Evansville, Indiana, amending Chapter 2.50 adding Section 2.50.041 of the Evansville City Code (Redevelopment Commission)

ORDINANCE F-2012-10

FINANCE

FRIEND

An Ordinance of the Common Council of the City of Evansville Authorizing Transfers and Appropriations, Additional Appropriations, and Repeal and Re-Appropriation of Funds for Various City Funds

RESOLUTION C-2012-15

FINANCE

FRIEND

A Resolution of the Common Council of the City of Evansville Ratifying, Confirming, Authorizing and Approving an Agreement between the City of Evansville and International Association of Firefighters Evansville Local No. 357 Inc.

March 1, 2012 through December 31, 2012.

RESOLUTION DOCKET

RESOLUTION C-2012-16 (Docket)

FRIEND, LINDSEY

A Resolution requesting the administration to appropriate funds to improve and maintain city cemeteries

MISCELLANEOUS BUSINESS

There will not be a City Council Meeting next Monday, August 6, 2012 The next City Council meeting will be Monday, August 13, 2012 at 5:30 p.m. Committee meetings will begin at 5:20 p.m. on August 13th.

APPROVAL OF BOARD APPOINTMENTS

Fire Merit Commission Appointment - Jim Nunning Haynie's Corner Art District Advisory Commission - Phil Raspberry

PAT KEEPES - CITY ENGINEER: Regarding Fickas Road

ADJOURNMENT

CITY COUNCIL COMMITTEE MEETING SCHEDULE

July 23, 2012

A.S.D. COMMITTEE:

CHAIRMAN MISSY MOSBY

Re:

Ordinance G-2012-13 Date: July 23, 2012

Amending Chapter 2.50 and

Time: 5:00 p.m.

adding Section 2.50.041

Notify: John Hamilton

(Redevelopment Commission)

FINANCE

CHAIRMAN JOHN FRIEND

Resolution C-2012-15 Re:

Ratifying the Firefighters Contract

Date: July 23, 2012

or March 1, 2012 - December 31, 2012.

Time: 5:05 p.m.

Notify: George Fithian/Carol McMichael

Re:

Authorizing Transfer of Funds, Repeal

Date: July 23, 2012

and re-appropriation of funds.

Time: 5:05 p.m.

Notify: Russell. G. Lloyd, Controller

Ordinance F-2012-10

PUBLIC WORKS COMMITTEE:

CHAIRMAN DAN McGINN

Re:

Ordinance G-2012-12

Amending 13.20 of the Municipal Code

Date: July 23, 2012

Time: 5:10 p.m. Notify: Ted Ziemer (Wastewater Discharge Regulations)

Re: Ordinance G-2012-7

Petition to vacate a public way or public place, part of SE 5th Street

Date: July 23, 2012 Time: 5:20 p.m.

in Donation Enlargement

Notify: Maria Worthington

August 13, 2012

A.S.D. COMMITTEE:

CHAIRMAN MISSY MOSBY

Re:

Ordinance G-2012-14 Amending Section 9.10.020

Date: August 13, 2012 Time: 5:20 p.m.

of the Municipal Code regarding fireworks

Notify: John Hamilton

August 7, 2012 (Tuesday)

Re: City/County Joint Budget Hearings

Date: August 7, 2012 (Tuesday)

Time: 3:30 -? Room 301

Re:

August 8, 2012 (Wednesday)

Agency Presentations to City Council

Community Development Block Grant **Emergency Shelter Grant/HOME**

August 8, 2012 (Wednesday) Date:

Time: 4:00 p.m. to 6:00 p.m. Donna Bailey (DMD) Notify:

CLY BUDGET HEARINGS SCHEDULE

August 14, 15, 16, 2012 (Tuesday, Wednesday, Thursday) Re: City Budget Hearings Date: August 14th, 15th, 16th, 2012 (Tuesday, Wednesday, Thursday) Time: 2:30 p.m.

Room 301

The Honorable Council of the City of Evansville is hereby called to order. Madam Clerk, please call the roll.

ROLL CALL		
MºGINN	FRIEND	O'DANIEL
<u>✓</u> MOSBY	LINDSEY	WEAVER
A BRINKERHOFF-RILEY	ADAMS	ROBINSON
There being 8 members present representing a quorum, I hereby de opened.	t, _/_ members absent, clare this session of Con	and <u>S</u> members amon Council officially
PLEDGE OF ALLEGIANCE This evening the pledge of allegian	nce will be led by <u>Will</u> a	ull
Fellow Councilmen and those in the Common Council.	ne audience, welcome to t	he July 23, 2012 meeting of
RECOGNITION OF SCHOOLS Are there any students in the audie	nce who would like to be	recognized?
SCHOOL:	SCHOONAME	OL:
COUNCIL ATTORNEY This evening John Hamilton is City	y Council Attorney.	
SERGEANT AT ARMS This evening Officer	is our Sergear	nt at Arms.
READING AND AMENDMENT Is there a motion to approve the mi Council as written?	OF MINUTES OF PR nutes of the July 9, 2012	ECEDING MEETING meeting of the Common
Councilman <u>Me Jim</u> m	noved and Councilman _	Musling seconded the
motion that the minutes of the regu		
July 9, 2012 be approved as writter	n. Voice vote. 🗸 So o	rdered

REPORTS AND COMMUNICATIONS IN YOUR JULY 20TH PACKET:

- *City Council Agenda for the July 23, 2012 City Council meeting.
- *Committee Meeting Schedule.
- *City Council Meeting Minutes from the July 9, 2012.
- *Ordinance G-2012-14.
- *Resolution Docket C-2012-16.
- *A memo regarding IACT Conference.
- *Legal Aid Society Statistics.
- *Evansville Redevelopment Commission Minutes of July 3, 2012 Meeting.
- *Report from Weights and Measures.

ON YOUR DESK THIS EVENING:

*Invitation to Join Mayor Winnecke for Litter Clean-Up Event.

*Ordinance F-2012-10 as amended.

Councilman Mosly moved and Councilman alims	
seconded the motion to receive, file and make these reports and communications a part of	f
the minutes of the meeting. Voice vote. So ordered.	

CONSENT AGENDA

FIRST READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-14 A.S.D. MOSBY, ADAMS, WEAVER, LINDSEY

An Ordinance amending Section 9.10.020 of the Evansville Municipal code (Fireworks)

Is there a motion to adopt the Consent Agenda, First Reading as written?

Councilman Mosly moved and Councilman Organic seconded the

Motion to adopt the Consent Agenda First Reading as written. Voice vote. So ordered.

CONSENT AGENDA

SECOND READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-7 as amental PUBLIC WORKS

McGINN

An Ordinance to vacate certain public ways or public places within the City of Evansville, Indiana, commonly known as the right-of-way part of S.E. 5th Street, in **Donation Enlargement**

ORDINANCE G-2012-12

PUBLIC WORKS

McGINN

An Ordinance amending Chapter 13.20 (Wastewater Discharge Regulations) of the Evansville Municipal Code

ORDINANCE G-2012-13

A.S.D. (MOSBY)

LINDSEY

An Ordinance of the Common Council of the City of Evansville, Indiana, amending Chapter 2.50 adding Section 2.50.041 of the Evansville City Code (Redevelopment Commission)

ORDINANCE F-2012-10 amendal FINANCE

FRIEND

An Ordinance of the Common Council of the City of Evansville Authorizing Transfers and Appropriations, Additional Appropriations, and Repeal and Re-Appropriation of Funds for Various City Funds

RESOLUTION C-2012-15

FINANCE

FRIEND

A Resolution of the Common Council of the City of Evansville Ratifying, Confirming, Authorizing and Approving an Agreement between the City of Evansville and International Association of Firefighters Evansville Local No. 357 Inc. March 1, 2012 through December 31, 2012.

COMMITTEE REPORTS:

FINANCE COMMITTEE:

CHAIRMAN FRIEND

Councilman Friend: Madam President, your Finance Committee met this evening to hear Ordinance F-2012-10 as amended and it comes forward with a (do pass/do not pass) recommendation; and Resolution C-2012-15 and it comes forward with a (do pass/do not pass) recommendation.

A.S.D. COMMITTEE:

CHAIRWOMAN MOSBY

Councilwoman Mosby: Madam President, your A.S.D. Committee met this evening to hear Ordinance G-2012-13 and it comes forward with a (do pass/do not pass) recommendation

PUBLIC WORKS COMMITTEE:

CHAIRMAN M°GINN

Councilman McGinn: Madam President, your Public Works Committee met this evening to hear Ordinance G-2012-7 and it comes forward with a (do pass/do not pass) recommendation; and G-2012-12 and it comes forward with a (do pass/do not pass) recommendation.

Councilman Juind moved and Councilman Mosley seconded the

motion to accept the committee reports and move these ordinances and resolutions to the

Third Reading. Voice vote. So ordered.

REGULAR	AGENDA

THIRD READING OF ORDINANCES OR RESOLUTIONS
ORDINANCE G-2012-7 PUBLIC WORKS

McGINN

An Ordinance to vacate certain public ways or public places within the City of Evansville, Indiana, commonly known as the right-of-way part of S.E. 5th Street, in Donation Enlargement

Is there a motion to adopt Ordinano	ce G-2012-7 and call th	ne roll?
Councilman Mosling mov	ed and Councilman	Me Genn seconded the
motion to adopt Ordinance G-2012	-7 and call the roll.	
ROLL CALL	/	/
M ^c GINN	FRIEND	O'DANIEL
MOSBY	LINDSEY	WEAVER
A BRINKERHOFF-RILEY	ADAMS	ROBINSON
There being 8 Ayes and 0 N ADOPTED/DENIED.	lays, Ordinance G-201	2-7 is hereby declared

R	R.	G	П	AR	A	\mathbf{GE}	ND	A
17		` 1	-		. F.			

THIRD READING OF ORDINANCES OR RESOLUTIONS

ORDINANCE G-2012-12 PUBLIC WORKS **McGINN**

An Ordinance amending Chapter 13.20 (Wastewater Discharge Regulations) of the Evansville Municipal Code Is there a motion to adopt Ordinance G-2012-12 and call the roll? Councilman Xuday moved and Councilman O Cancel seconded the motion to adopt Ordinance G-2012-12 and call the roll. ROLL CALL FRIEND ✓ MºGINN ✓ LINDSEY MOSBY A BRINKERHOFF-RILEY ✓ ADAMS There being & Ayes and O Nays, Ordinance G-2012-12 is hereby declared ADOPTED/DENIED.

Page 7 REGULAR AGENDA THIRD READING OF ORDINANCES OR RESOLUTIONS LINDSEY ORDINANCE G-2012-13 A.S.D. (MOSBY) An Ordinance of the Common Council of the City of Evansville, Indiana, amending Chapter 2.50 adding Section 2.50.041 of the Evansville City Code (Redevelopment Commission) Held in Committee Is there a motion to adopt Ordinance G-2012-13 and call the roll? Councilman _____ moved and Councilman _____ seconded the motion to adopt Ordinance G-2012-13 and call the roll.

BRINKERHOFF-RILEY ____ ADAMS ____ ROBINSON

There being ___ Ayes and ____ Nays, Ordinance G-2012-13 is hereby declared ADOPTED/DENIED.

____ FRIEND

LINDSEY

O'DANIEL

WEAVER

ROLL CALL

MOSBY

MºGINN

REGULAR A	GENDA
-----------	-------

THIRD READING OF ORDINANCES OR RESOLUTIONS
ORDINANCE F-2012-10 amended FINANCE

FRIEND

An Ordinance of the Common Council of the City of Evansville Authorizing Transfers and Appropriations, Additional Appropriations, and Repeal and Re-Appropriation of Funds for Various City Funds

I the man water to adopt Outlines	E 2012 10 as amond	ad and gall the roll?
Is there a motion to adopt Ordinar	ice r-2012-10 as amend	ed and can the for:
Councilman <u>Adams</u> mo	ved and Councilman 🛚	Toolia seconded the
motion to adopt Ordinance F-2012	2-10 as amended and ca	ll the roll.
ROLL CALL		/
M ^e GINN ·	FRIEND	O'DANIEL
MOSBY	LINDSEY	weaver
A BRINKERHOFF-RILEY	ADAMS	ROBINSON
There being 8 Ayes and 0 declared ADOPTED/DENIED.	Nays, Ordinance F-2012	2-10 as amended is hereby

FRIEND

REGULAR AGENDA

THIRD READING OF ORDINANCES OR RESOLUTIONS RESOLUTION C-2012-15 FINANCE

A Resolution of the Common Council of the City of Evansville Ratifying, Confirming, Authorizing and Approving an Agreement between the City of Evansville and International Association of Firefighters Evansville Local No. 357 Inc.

March 1, 2012 through December 31, 2012.

Is there a motion to adopt Resolu	tion C-2012-15 and call	the roll?
Councilman Journal m	oved and Councilman _	Masly seconded the
motion to adopt Resolution C-20	12-15 and call the roll.	Ø
ROLL CALL	/	,
M ^c GINN	FRIEND	O'DANIEL
MOSBY	LINDSEY	WEAVER
BRINKERHOFF-RILEY	ADAMS	ROBINSON
There being 8 Ayes and 0 ADOPTED/DENIED.	Nays, Resolution C-202	2-15 is hereby declared

RESOLUTION DOCKET

RESOLUTION C-2012-16 (Docket)

FRIEND, LINDSEY

A Resolution requesting the administration to appropriate funds to improve and maintain city cemeteries

WITHDRAWN

WHEREAS, members of Council have witnessed certain conditions at city cemeteries, including numerous stones and markers laying on the ground; and

WHEREAS, members of Council believe that the markers and stones should be restored to an upright condition, and be maintained thereafter, so as to enhance and preserve the appearance and dignity of the cemeteries.

NOW THEREFORE, BE IT RESOLVED by the City Council that:

	4			
Rolinson Weener Ro	er sufficient funds to be improved and ma stones and markers Masly Misself Mosly M	the appropriate accounts intained, and specifically that are laying on the growth and Baer Conor Goden Grands Conor Goden Grands Conor Goden Grands G	in order to re- to re- und. Baer Relinson Mosley Buer Addin Relinson Final Robinson Relinson	med and the state of the state
Councilman move	ed and Councilman	seconde	1 " 1 %	rl
motion to adopt Resolution C-2012-	_	ordered. Rdingon Rdinson Rdinson L Jayne Adam Rdinson	Adams Mass Refussor Adas Weaver Adas Hamilton Refus	ly me
N (CODD)	Phirm	Conor	Rolinson Mich	Jun
MºGINN	FRIEND	O'DANIEL	Friand Most	lu
MOSBY	LINDSEY	WEAVER	Rdinson Robin	المسر
BRINKERHOFF-RILEY	ADAMS	ROBINSON	Conor Dia	
There being Ayes and Na ADOPTED/DENIED. Juind	nys, Resolution C-20 Chambo	12-16 is hereby declared Remove Relinour Roynler Conor Remove Adams	1 / KUKU	SON 4

MISCELLANEOUS BUSINESS

There will not be a City Council Meeting next Monday, July 30th or Monday, August 6, 2012. The next City Council meeting will be Monday, August 13, 2012 at 5:30 p.m.

	ings will begin at 5:20 p.m. on August 13 th .
	•
	F BOARD APPOINTMENTS
	mission Appointment
,	pointment to the Fire Merit Commission.
Jim Nunning s te	erm expires July 31, 2012.
Councilman M	moved and Councilman Alams seconded the
Councilman ///	t/re-appoint / Munrato the Fire Merit Commission for 4 years.
motion to appoin	
Voice vote. So o	rdered. O
Harmio's Corner	r Art District Advisory Commission
City Council App	pointment to the Haynie's Corner Art District Advisory Commission.
V	la la la Calanda I I I I
Councilman _//	moved and Councilman Quamo seconded the
	to the Haynie's Corner Art District Advisory
Commission for a	a two (2) year term. Voice vote. So ordered. This Rasplury
n i m vzerenec	OYEN ENGINEED. Describes Fisher Deed
PAT KEEPES -	CITY ENGINEER: Regarding Fickas Road
Dot Kann	Pat Weaver Robinson Robinson Pat Kaepes Pat D. Kempa
Pat Keepes	Pat Keepes Pat D. Kempa
dams	Robinson Weaver Robinson Odans
9. L	
adams	firm sonson Pat Keepes Mosley
alar	Robinson adams Wenter C- Kemper
Pat	Robinson adams Weater D. Kempa Johnson Rdinson Masley Rdanson
00°,	W. Kungan C. Janes
(olunsor)	O-thouse Winter
0_+	Color Pat Kupes Mosley
al	County growing adams a Det
Colinson	Parkeyes adams Russin
	ann James Missey ann Jonson
Pat	Part Keepes Weather Robinson
^	Cant John of the
Olinson	10 4 17 62620 1100 110001
Mc Ginn	anntohnson Willer Marine
Edams	Pat Kapes Pat Missy Robinson Whaver Robinson
(((() () () () () () () () () () () () (Robinson, Univer Robinson
d-	ann market of the deal of
in and	
Deaver	
dams	Don Musly Russell Miles Randy Jans
1-4-	HON Many Player

COMMITTEE REPORTS:

A.S.D. COMMITTEE:

Re: Ordinance G-2012-13

Date: July 23, 2012 Time: 5:00 p.m.

Notify: John Hamilton

Re:

Ordinance G-2012-14

Date: August 13, 2012

Time: 5:20 p.m.

Notify: John Hamilton

CHAIRMAN MISSY MOSBY

Amending Chapter 2.50 and

adding Section 2.50.041

(Redevelopment Commission)

Amending Section 9.10.020

of the Municipal Code

regarding fireworks

FINANCE COMMITTEE:

Re: Resolution C-2012-15

Date: July 23, 2012

Time: 5:05 p.m.

Notify: George Fithian/Carol McMichael

Re:

Ordinance F-2012-10

Date: July 23, 2012

Time: 5:05 p.m.

Notify: Russell. G. Lloyd, Controller

CHAIRMAN JOHN FRIEND

Ratifying the Firefighters Contract or March 1, 2012 – December 31, 2012.

Authorizing Transfer of Funds, Repeal

and re-appropriation of funds.

CHAIRMAN DAN McGINN

PUBLIC WORKS COMMITTEE:

Re: Ordinance G-2012-12

Date: July 23, 2012

Time: 5:10 p.m.

Notify: Ted Ziemer

Amending 13.20 of the Municipal Code

(Wastewater Discharge Regulations)

Ordinance G-2012-7 Re:

Date: July 23, 2012

Time: 5:20 p.m.

Notify: Maria Worthington

Petition to vacate a public way or public place, part of SE 5th Street

in Donation Enlargement

Re: City/County Joint Budget Hearings

Date: August 7, 2012 (Tuesday)

Time: 3:30 -? Room 301

Re: Community Development Block Grant Agency Presentations to City Council

Emergency Shelter Grant, HOME

August 8, 2012 (Wednesday) Date:

4:00 p.m. to 6:00 p.m. Time: Donna Bailey (DMD) Notify:

CITY BUDGET HEARINGS SCHEDULE

August 14, 15, 16, 2012 (Tuesday, Wednesday, Thursday)
Re: City Budget Hearings
Date: August 14 th , 2012 (Tuesday)
Time: 7:00 p.m.
Room 301 *
Date: August 15, 2012 (Wednesday)
Time: 4:00 p.m.
Room 301
The state of the s
Date: August 16, 2012 (Thursday) Time: 4:00 p.m.
John Hamilton
ADJOURNMENT
Councilman Mosley moved and Councilman O Doniel
seconded the motion to adjourn. Voice Vote. So Ordered.
Meeting adjourned at <u>7/30 p.m.</u>

Dordan Baer